



Tennessee Board of Respiratory Care Newsletter



Volume 1, Issue 1

Summer 2015

Division of Health Licensure and Regulation ♦ Health Related Boards ♦ 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

♦ Web: tn.gov/health ♦ Phone: (615) 741-3807 or 1-800-778-4123

Fax: (615) 253-8764 ♦ Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays)

In conjunction with the purpose and goals of the Department of Health, the mission of the Division of Health Licensure and Regulation is to: Monitor, assess and enforce health care laws and regulations; protect, promote and enhance quality health care for all citizens; continuously strive to meet the needs of our customers in a respectful and caring manner; provide quality work-life necessary to attract and retain competent, caring employees; empower our employees to become entrepreneurs in their jobs; increase awareness and public confidence in our services; and utilize our resources efficiently and cost effectively.

MESSAGE FROM THE CHAIR

On behalf of the Tennessee Board of Respiratory Care I would like to congratulate and welcome all our newly graduated Respiratory Therapists in Tennessee. We meet quarterly and these meetings are open to the public. Come and see what your board is doing.

This is an exciting time to be in the field of respiratory care as we work to not only improve the respiratory care we deliver to our patients but the entire focus on disease management for Tennesseans. Respiratory Therapists across the state are getting involved in how we can improve the quality of life for our patients with many different debilitating lung disease. Thank you, to all of the practitioners of respiratory care in Tennessee, for all you do every day.

Anna M. Ambrose, MHA, RRT

ACCESSING THE BOARD'S WEBSITE

- In address bar type: <http://tn.gov/health>
- Click on link titled: "Health Professionals"
- Choose: Health Related Boards, then click: "Respiratory Care"

There are many resources on our website, including the rules, statutes, applications, policy statements and a list of approved educational schools/programs. License renewal and licensure verification may also be utilized on this website. This is a valuable resource. Please use it often.

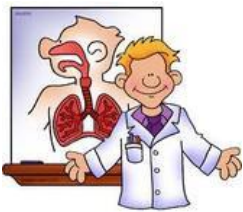
RESOURCES AND USEFUL LINKS:

- [Tennessee Board of Respiratory Care Home](#)
- [Licensure and Education Information](#)
- [Complaints, Disciplinary Actions and Peer Assistance](#)
- [Applications, Publications and Information](#)
- [Statutes, Rules and Policies](#)
- [National Board of Respiratory Care \(NBRC\)](#)
- [Tennessee Society for Respiratory Care \(TSRC\)](#)

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ABOUT THE BOARD OF RESPIRATORY CARE



The Board of Respiratory Care was created in 1998 to succeed the Board of Medical Examiners Council on Respiratory Care. Its mission is to safeguard the health, safety and welfare of Tennesseans by requiring all that practice respiratory care within this state qualified. The Board interprets the laws, rules and regulations to determine the appropriate standards of practice in an effort to ensure the highest degree of professional conduct. The Board is authorized to issue licenses and certificates to qualified candidates who have completed appropriate education and successfully completed required examinations. The Board is also responsible for the investigation

of alleged violations of the Practice Act and rules, and is responsible for the discipline of licensees who are not compliant.

The administrative staff of the Division of Health Related Boards supports the Board by issuing licenses to those who meet the requirements of the law and rules. Renewal notices are mailed from the Board's administrative office forty-five (45) days prior to the expiration of the license to the current address on record. Licenses can be renewed on-line sixty (60) days prior to expiration at Tennessee.gov/health. Click on the "License Renewal" link and follow the prompts. Licensees are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board's rules to practice on an expired license.

Licenses or certificates are awarded in the following categories:

- Licensed Registered Respiratory Therapists
- Licensed Certified Respiratory Therapists
- Respiratory Care Assistant (Renewals Only)

Contacting the Administrative Office:

Tennessee Board of Respiratory Care
Office of Health Related Boards
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243
Phone: (615) 741-3807 or Fax: (615) 253-8724

Administrative Staff

Michael Sobowale
Board Director

Mary V. Webb
Board Administrator

Lakita Taylor
Board Manager

COMPLAINTS, DISCIPLINARY ACTIONS & PEER ASSISTANCE

Complaints

If you believe a practitioner's performance or behavior is not acceptable, you may file a complaint through Health Related Boards, Office of Investigations. For information on filing a complaint, please visit: <http://tn.gov/health/article/rc-complaints>.

You may contact the Complaint Divisions of the Department of Health at 1-800-852-2187 to request a complaint form or download one here: <http://tn.gov/assets/entities/health/attachments/PH-3466.pdf>.

The form must be completed in its entirety. All materials received in connection with the complaint will become property of the Department of Health and cannot be returned. Please return the complaint to:

**Office of Investigations
665 Mainstream Drive, 2nd Floor, Suite 201
Nashville, TN 37243**

Disciplinary Actions

A listing of monthly disciplinary actions taken by the Board of Respiratory Care can be found here: <http://tn.gov/health/article/boards-disciplinary-actions#dars>.

Peer Assistance

The Board on Respiratory Care has contracted with the Tennessee Professional Assistance Program to assist in safeguarding health care consumers in Tennessee by providing a consultation, referral and monitoring program for Respiratory Care Practitioners whose practice is impaired or potentially could be impaired due to the use of alcohol or drugs, or a psychological or physiological condition.

**Tennessee Professional Assistance Program
545 Mainstream Drive, Suite 414
Nashville, Tennessee 37228-1201
Phone: 615-726-4001 or 1-888-776-0786
Fax: 615-726-4003
www.tnpap.org**

LEGISLATIVE UPDATES

Public Chapter 154

This act allows the Commissioner of Health or his designee to have electronic access to medical records to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records.

Public Chapter 94

This act defines "abuse" and "neglect" for purposes of placing a person on the registry of persons who have abused, neglected or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days.

Public Chapter 502

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

Public Chapter 268

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits.

[Click on the public chapter titles to view legislative descriptions in their entirety.](#)

Continued on page 5...

MEETINGS OF THE BOARD

The Board currently meets four (4) times per year. The Governor appoints all members of the Board. The Board consists of four (4) respiratory care practitioners holding credentials from the National Board for Respiratory Care, at least two (2) of whom shall be respiratory therapists; one (1) practicing physician with expertise in pulmonary medicine; one (1) hospital administrator, one (1) hospital employee licensed as a respiratory therapist, and one (1) consumer member. A majority of members is required to conduct business. The meetings are open to the public.

The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate notice of such meeting. Open meeting notices can also be accessed at <http://tn.gov/health/calendar/respiratory-care>.

BOARD MEMBER COMPOSITION

Anna M. Ambrose, RRT, Chair
Springfield, TN

Delmar Mack, Ed.D., RRT, Secretary
Johnson City, TN

Troy Hamm, RRT
Smyrna, TN

Lisa Caldwell, RRT
Signal Mountain, TN

Winston A. Granville, RRT
Cordova, TN

Jeffrey McCartney, M.D.
Humboldt, TN

John Schario, Hospital Administrator
Nashville, TN

Vacant
Consumer Member

2015 BOARD MEETING SCHEDULE

- ▶ February 12, 2015 – 9:00 AM CST
- ▶ May 28, 2015 – 9:00 AM CST
- ▶ August 27, 2015 – 9:00 AM CST
- ▶ November 12, 2015 – 9:00 AM CST

Unless otherwise noted, all meetings will be held at the following location:

**665 Mainstream Drive
Iris Conference Room, Ground Floor
Nashville, TN 37243**



NATIONAL CONFERENCES

**American Association for Respiratory Care (AARC)
–Summer Forum**
Phoenix, AZ
July 13-15

**American Association of Cardiovascular and
Pulmonary Rehabilitation - 30th Annual Meeting**
Washington, DC
September 9-12

**American Association for Respiratory Care (AARC)
Congress**
Tampa, FL
November 7-10

IMPORTANT REMINDERS

Electronic Notifications Opt-In

Licensees who prefer to receive notifications by electronic means instead of by regular United States mail from the Department of Health should request to “opt-in” from the portal on the Board’s website at: <https://apps.tn.gov/hlrs/begin.jsp>. Licensees may also submit a written request to the Board’s Administrative Office.

Please note that once you choose to opt-in to receive electronic notifications, ALL notices from the Health Department, including license renewal notices, will be sent by electronic mail. License renewal notification will be sent from the Board’s Administrative Office forty-five (45) days prior to the expiration of the license to the current e-mail address on record with Tennessee Department of Health. Also, you will be required to notify the Administrative Office should there be any changes to your email address.

Updating Your Practitioner Profile

Pursuant to Tennessee Health Care Consumer Right – to-Know Act, 1998, T.C.A. §63-51-101, et seq., licensed respiratory care therapists have a continuing duty and the responsibility to notify the Department of Health of any changes or updates to information submitted on the mandatory practitioner’s profile questionnaire within thirty (30) days of the occurrence of such event. Changes include any change of address. A copy of the questionnaire can be found at: <http://health.state.tn.us/downloads/PH-3585.pdf>.

To check the accuracy of your profile, please visit: <https://apps.health.tn.gov/Licensure/>.

Changes may be submitted on the form to the Board’s Administrative Office at:

**Office of Health Related Boards
Board of Respiratory Care
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243**

LEGISLATIVE UPDATES:

PROPOSED RULE AMENDMENTS

Licensure Fee Decrease

On May 28, 2015, the Board held a rulemaking hearing to reduce license application and renewal fees. The Board voted to decrease fees as follows:

- decrease total license application fees from \$200 to \$150
- decrease license renewal fee from \$120 to \$100

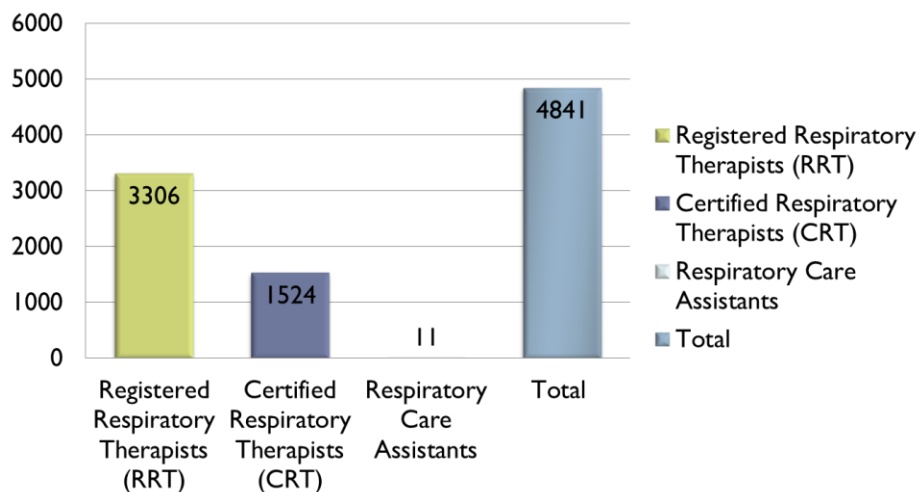
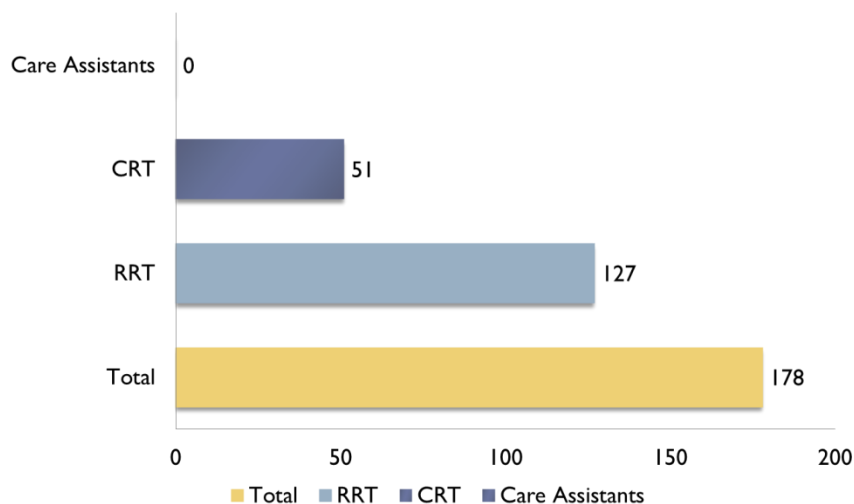
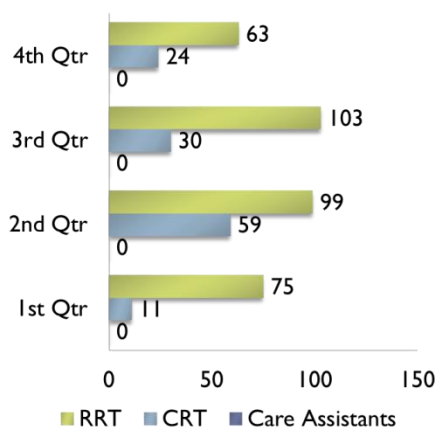
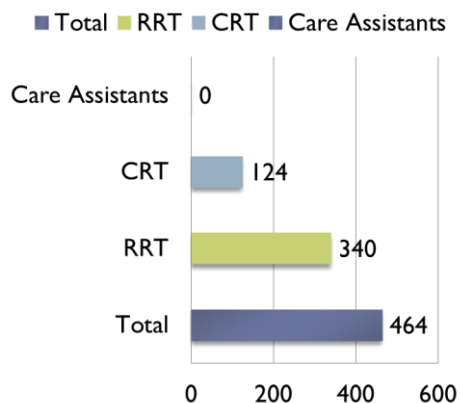
A copy of the Notice of Rulemaking Hearing filed with the Secretary of State can be found on their website at: <http://sos.tn.gov/content/acts-and-resolutions>.

Rule Changes Affecting Definitions, Scope of Practice, Qualifications and Procedures for Licensure, Continuing Education, Temporary License and Advisory Rulings

On August 28, 2014, the Board held a rulemaking hearing regarding various proposed changes to current rules in Chapter 1330-01 of the General Rules and Regulations Governing Respiratory Care Practitioners affecting Rule 1330-01.01 – Definitions; Rule 1330-01-.02 - Scope of Practice; Rule 1330-01-.05 – Qualifications and Procedures for Licensure; Rule 1330-01-.12 - Continuing Education; Rule 1330-01-.14 – Temporary License; and Rule 1330-01-.19 – Advisory Rulings.

Additional details regarding these proposed changes to current rules can be found in the Notice of Rulemaking Hearing filed with the Secretary of State at: <http://tnsos.org/rules/RulemakingHearings.php>.

The Administrative Office will notify all licensees once these rules become effective. A copy of the final, approved rules will also be posted on the Board’s website.

STATISTICAL DATA**Total Number of Licenses as of 5/20/15****# Applications Received from 1/1/15 to 5/20/15****Number of Applications Received in 2014****Quarterly Breakdown****Total Applications**

QUESTIONS AND ANSWERS

Q: I have moved and/or changed my place of employment. How do I update my address with the Board?

A: Changes in address must be submitted in writing to the Board's administrative office. Please include your name, profession, license number, old address and new address. Please also specify if the change is to your mailing or practice address.

Q: How do I report a name change and/or request an updated license?

A: Changes in name must be submitted in writing to the Board's administrative office, along with documentation supporting the change (i.e. marriage certificate, divorce decree). Please include your name, profession and license number. If you wish to receive a duplicate copy of your license, reflecting the updated name, you must specify this in your request and include a check or money order in the amount of \$25.00 for each license type (i.e. Wallet/Renewal size or Wall size).

Q: I am applying for a license in another state and need primary source verification. How do I obtain this?

A: Requests for license verification must be submitted in writing to the Board's administrative office. Please include your name, profession, license number and address which the verification must be sent. Please also include a check or money order in the amount of \$15.00 per request.

Q: Can I renew my license online?

A: Certainly! License renewals may be processed up to seventy (70) days prior to the license expiration date. Please visit <https://apps.tn.gov/hlrs/begin.jsp> and choose "Begin here to update your Professional License information..."

Q: Am I required to do continuing education to maintain my license?

A: Each therapist and assistant licensed by the Board must complete ten (10) contact hours of continuing education every calendar year. All courses must be at least thirty (30) minutes in length.

At least five (5) hours of the ten (10) hour requirement shall pertain to the clinical practice of respiratory care, to education, or to research relating to the cardiopulmonary system.

Up to five (5) hours of the ten (10) hour requirement may pertain to the management of practicing respiratory care or may pertain to ethics and substance abuse.

For new licensees, submitting proof of successful completion of the respiratory care program required by T.C.A. §§ 63-27-106 or 63-27-107 shall be considered proof of sufficient preparatory education to constitute continuing education contact hour requirements for the calendar year in which the program was completed.

Q: My license has expired. How do I reinstate my license?

A: Reinstatement of a license that has expired may be accomplished upon meeting the following conditions: (a) Obtaining and fully completing the Board's Reinstatement Application and submitting it along with payment of all past due registration/renewal fees to the Board office; and (b) Paying the Late Renewal fee, pursuant to Rule 1330-01-.06; and (c) Providing documentation of successfully completing continuing education requirements, pursuant to Rule 1330-01-.12.

Q: I am no longer practicing as a respiratory therapist. How do I retire my license?

A: To retire your license, please complete the Affidavit of Retirement form, have it notarized and forward it to the administrative office. The form may be downloaded from the Board's website here: <http://tn.gov/assets/entities/health/attachments/PH-3460.pdf>. Please inquire with the Board office regarding requirements to reinstate a retired license.